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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMG Services, Inc. et al.,

Defendants, and

Park 269 LLC, et al.,

Relief Defendants.

Case No. 2:12-cv-536

**PLAINTIFF'S MOTION
FOR LEAVE TO FILE
SUMMARY JUDGMENT
OPPOSITION
MEMORANDUM AND
EXHIBITS UNDER SEAL**

1 Plaintiff Federal Trade Commission (“FTC”) hereby moves this Court for an Order granting the
2 FTC leave to file its opposition to Defendants’ motion for summary judgment, declaration, and exhibits in
3 opposition (Docket No. 491, 491-1, 491-2, 491-3, 491-4, 491-5, 491-6, 491-7, and 491-8), under seal. The
4 Court approved the FTC’s similar request to provisionally file materials under seal with respect to the
5 FTC’s own motion for summary judgment. (*See* Docket No. 476.) In support of this motion, the FTC
6 states as follows:

7 1. On January 11, 2013, this Court entered an amended protective order (Docket No. 308)
8 permitting parties to designate documents and testimony as confidential, and to submit such information to
9 the Court under seal.

10 2. On September 30, 2013, Defendants filed a motion for summary judgment on Count III of
11 the FTC’s Complaint. (Docket No. 461.)

12 3. On December 3, 2013, the FTC filed an opposition to Defendants’ motion for summary
13 judgment (the “Opposition”), as well as a declaration with accompanying exhibits (Docket No. 491 *et*
14 *seq.*). Some of those papers contain confidential consumer data designated by the FTC or Defendants as
15 confidential. In addition, the Defendants have designated nearly all of their documents, and testimony
16 regarding those documents, as confidential.

17 4. Due to the breadth of the Defendants’ confidential designations and the FTC’s repeated
18 references in its Opposition to documents and testimony designated by Defendants as confidential, the
19 FTC, out of an abundance of caution, seeks leave of the Court to file its entire Opposition and all exhibits
20 under seal.

21 5. After summary judgment briefing is concluded, the FTC intends to confer with the
22 Defendants regarding redacting portions of its Opposition and unsealing and redacting certain exhibits.
23 The parties successfully reached an analogous, post-briefing agreement in unsealing large portions of the
24 parties’ previous briefing on the FTC’s motion for preliminary injunction. (*See* Docket No. 283.)
25
26
27

1 WHEREFORE, the FTC respectfully requests leave of the Court to file its Opposition to Defendants'
2 summary judgment motion, declaration, and all corresponding exhibits (Docket No. 491, 491-1, 491-2,
3 491-3, 491-4, 491-5, 491-6, 491-7, and 491-8) under seal, with a reservation of the right to move the
4 Court at a later date to lift the seal order in part.

5 December 3, 2013

6 Respectfully submitted,

7 /s/ Nikhil Singhvi

8 Nikhil Singhvi

9 Jason D. Schall

10 Helen P. Wong

11 Ioana Rusu

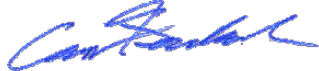
12 LaShawn M. Johnson

13 Courtney A. Estep

14 *Attorneys for Plaintiff*

15 *Federal Trade Commission*

16 IT IS SO ORDERED:

17 

18 UNITED STATES MAGISTRATE JUDGE

19 DATED: 12-5-2013

CERTIFICATE OF SERVICE

I, Nikhil Singhvi, certify that, as indicated below, all parties were served by electronic case filing with **PLAINTIFF'S MOTION FOR LEAVE TO FILE SUMMARY JUDGMENT OPPOSITION MEMORANDUM AND EXHIBITS UNDER SEAL** filed with the Court and all parties were served by email with Plaintiff's memorandum of law, declaration, and exhibits.

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